

Office of the Secretary of Defense

§ 64.4

REQUESTING EMPLOYEE BE SCREENED FROM RETIREE-RECALL PROGRAM
APPENDIX B TO PART 64—LIST OF RESERVE PERSONNEL CENTERS TO WHICH RETIREE-RECALL SCREENING DETERMINATION SHALL BE FORWARDED

AUTHORITY: 10 U.S.C. 672(a), 675, 688, and 973.

SOURCE: 55 FR 9319, Mar. 13, 1990, unless otherwise noted.

§ 64.1 Purpose.

This part implements sections 672(a), 675, 688, and 973 of title 10, United States Code, by prescribing uniform policy and procedures governing the peacetime management of retired military personnel, both Regular and Reserve, in preparation for their use during a mobilization.

§ 64.2 Applicability and scope.

This part:

(a) Applies to the Office of the Secretary of Defense (OSD); the Military Departments (including their National Guard and Reserve components); the Chairman, Joint Chiefs of Staff (Joint Staff); the Coast Guard and its Reserve component (by agreement with the Department of Transportation (DoT)); and the Defense Agencies (hereafter referred to collectively as “DoD Components”). The term “Military Services,” as used herein, refers to the Army, Navy, Air Force, Marine Corps, and Coast Guard (by agreement with the DoT).

(b) By agreement with non-DoD organizations that have DoD-related missions, includes organizations with Defense-related missions, such as the Federal Emergency Management Agency (FEMA), the Selective Service System (SSS), and the organizations with North Atlantic Treaty Organization (NATO)-related missions.

§ 64.3 Definitions.

(a) *Key employee.* Any Reservist, or any military retiree (Regular or Reserve) identified by his or her employer, private or public, as filling a key position.

(b) *Key position.* A civilian position, public or private (designated by the employers and approved by the Secretary concerned), that cannot be va-

cated during war or national emergency.

(c) *Military retiree categories*—(1) *Category I.* Nondisability military retirees under age 60 who have been retired less than 5 years.

(2) *Category II.* Nondisability military retirees under age 60 who have retired 5 years or more.

(3) *Category III.* Military retirees, including those retired for disability, other than categories I or II retirees (includes warrant officers and health-care professionals who retire from active duty after age 60).

(d) *Military retirees or retired military members.* (1) Regular and Reserve officers and enlisted members who retire from the Military Services under 10 U.S.C. chapters 61, 63, 65, 67, 367, 571, 573, or 867 and 14 U.S.C. chapters 11 and 21.

(2) Reserve officers and enlisted members eligible for retirement under one of the provisions of law in definition (d)(1) who have not reached age 60 and who have not elected discharge or are not members of the Ready Reserve or Standby Reserve (including members of the Inactive Standby Reserve).

(3) Members of the Fleet Reserve and Fleet Marine Corps Reserve under 10 U.S.C. 6330.

§ 64.4 Policy.

It is DoD policy that military retirees shall be ordered to active duty (as needed) to fill personnel shortfalls due to mobilization or other emergencies, as described in 10 U.S.C. 672 and 688. DoD Components and the Coast Guard shall plan to use as many retirees, as necessary, to meet national security needs. Military retirees may be used as follows:

(a) To fill shortages in, or to augment, deployed or deploying units.

(b) To fill shortages in, or to augment, supporting units and activities in the Continental United States (CONUS), Alaska, and Hawaii.

(c) To release other military members for deployment overseas.

(d) Subject to the limitations of 10 U.S.C. 973, to fill Federal civilian workforce shortages within the Department of Defense, the Coast Guard, or other Government entities.